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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 049212-0103

Applicants: Bruce BENT et al.

Title: MONEY FUND BANKING SYSTEM WITH MULTIPLE BANKS AND/OR RATES

Appl. No.: 09/677,535

Filing Date: 10/02/2000

Examiner: Daniel S. Felten

Art Unit: 3696

Confirmation Number:
4334

PETITION TO WITHDRAW FROM ISSUE AFTER PAYMENT OF ISSUE FEE
UNDER 37 C.F.R. §1.313

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Petition to Withdraw from issue the above-identified application after the issue fee has been paid.

The fee payment authorization under **37 C.F.R. 1.17(h)** is enclosed.

Applicants hereby petition to withdraw the above-identified application from issue under **37 C.F.R. 1.313(c)(2)**, in order to file a Request for Continued Examination in order to submit an Information Disclosure Statement and an amendment of the claims.

Applicants identify defects as follows:

a need to amend the claims to add performance of the claimed method steps by one or more computers, in view of the

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recent *In re Bilski* decision from the Federal Circuit Court of Appeals, issued after the payment of the issue fee, to conform the claims with claim amendments proposed at an interview with the examiner on February 5, 2009;

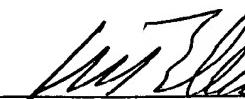
a need to remove any ambiguity that the FDIC-insured and interest-bearing deposit accounts are aggregated, to thereby conform the claims with claim amendments proposed at an interview with the examiner on February 5, 2009; and

to submit for consideration additional prior art identified by a third party in another co-pending application after the payment of the issue fee for the above-identified application, as well as to submit for consideration prior art identified by other examiners in co-pending applications of applicants, as well as to resubmit for consideration prior art filed in an IDS on September 3, 2008, in its entirety. This September 3, 2008 IDS was filed with a certification under **37 CFR 1.97 (e)(2)**, which was believed to be correct at the time of the filing. We believe that a certification that applicants were not aware of these specific documents continues to be correct. However, applicants informed us that some information in the specific documents was known to applicants more than 3 months before disclosure of those particular documents in the September 3, 2009 IDS, making the certification arguably incorrect. To the extent that any information about the subject matter in these documents was known to applicants, applicants would like to resubmit these documents in an IDS with the RCE filing.

Applicants request that this Petition be granted.

The Commissioner is hereby authorized to charge any deficiency or credit any over-payment to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,



William T. Ellis
Attorney for Applicants
Registration No. 26,874

April 7, 2009

Date

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5485
Facsimile: (202) 672-5399